

UNITED STATES DISTRICT COURT
WESTERN DISTRICT OF WASHINGTON
AT TACOMA

TAYLOR TOM CONLEY,

Petitioner,

v.

RON FRAKER,.

Respondent.


CASE NO. C12-5974 RJB-JRC

ORDER

The Court, having reviewed the Report and Recommendation of Magistrate Judge J. Richard Creatura, objections to the Report and Recommendation (Dkt. 18) and the remaining record, does hereby find and ORDER:

1. Petitioner's objections (Dkt. 19) are without merit. The court concurs with the careful and well-reasoned Report and Recommendation. The Court adopts the Report and Recommendation;
2. The Court denies this petition on the merits. Petitioner does not show a violation of any constitutional right in this case. Petitioner waived any argument regarding the form of the information by not objecting pre-trial; and the jury instructions were not constitutionally inadequate.
3. The certificate of appealability is denied.

DATED this 19th day of April, 2013.



ROBERT J. BRYAN
United States District Judge